

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 05- 27

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF FOREST PARK TO AMEND CITY CODE SECTION 2-3-28 RETENTION OF PUBLIC RECORDS; DESTRUCTION OF OBSOLETE RECORDS TO ADOPT THE "RETENTION SCHEDULES FOR LOCAL GOVERNMENT RECORDS", PUBLISHED BY THE GEORGIA SECRETARY OF STATE DEPARTMENT OF ARCHIVES AND HISTORY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the records of the City of Forest Park are considered public property and subject to the Georgia Open Records Act; and

WHEREAS, these records contain information needed for varying lengths of time for the conduct of public business; and

WHEREAS, these records contain information that may retain value as legal, audit, and historical data that may protect the rights of the government and of its citizens; and

WHEREAS, some of these records are vital for the continuity of government or for the protection of the rights of citizens; and

WHEREAS, the efficient and cost effective management of records is in the best interest of the government and of the public; and

WHEREAS, on September 16, 1996 the City entered into a contract with the Secretary of State of Georgia, Department of Archives and History for the project to enhance the City's record management program through undertaking a records inventory and by automating its record administration system; and

WHEREAS, the City adopted and operated under that proposal for records retention since 1996;

WHEREAS, City Code section 2-3-28 (a) requires that City adopt a retention schedule pursuant to O.C.G.A. 50-18-99 (d).

NOW THEREFORE, be it ordained by the Mayor and Council of the City of Forest Park that City Code Section 2-3-28 be amended to read as follows:

- (a) Pursuant to O.C.G.A. § 50-18-99, the City of Forest Park has adopted the Records Retention Schedule for Local Government Records as published by the Georgia Secretary of State's Department of Archives and History, and any such amendments or updates as may be made to such Retention Schedule for Local Government Records.
- (b) All City of Forest Park records shall be maintained in accordance with approved retention schedules, in the most updated version of the Retention Schedule for Local Government Records.

- (c) The Support Services Director shall serve as the coordinator of the records management plan and is authorized to act for and on behalf of the City in directing and coordinating all records management matters under the Georgia Records Retention Act. In discharging the records management and records destruction duties, the Director shall, whether personally or by delegation, maintain all records in accordance with the Georgia Secretary of State Retention Schedules for Local Government Records adopted by the mayor and council, and shall not destroy, allow, or direct any employee to destroy, any record except as provided on the aforesaid Retention Schedule.
- (d) Whenever any records are destroyed, a certificate of destruction shall be prepared and forwarded to the mayor and council which shall show the type of records destroyed, the approved retention schedule number, the dates covered, and the volume destroyed. These memoranda of destruction shall be kept by the Support Services Director in a central location, and may be viewed by any member of the public as provided by law.

Section 1. Severability.

If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, and such remainder shall remain in full force and effect.

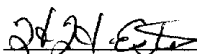
Section 2. Effective Date.

This Ordinance shall be in full force and effect immediately upon and after its final passage.

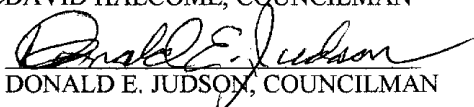
SO ORDAINED this 25th day of MAY, 2005.

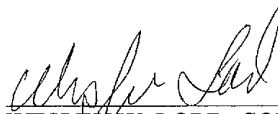
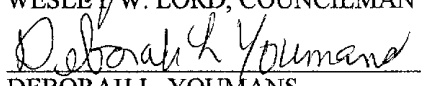
CITY OF FOREST PARK, GEORGIA

CHARLES "CHUCK" HALL, MAYOR

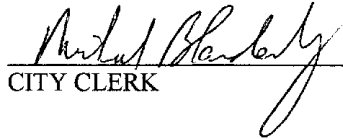

H. H. ESTES, MAYOR PRO-TEMPORE


DAVID HALCOME, COUNCILMAN


DONALD E. JUDSON, COUNCILMAN


WESLEY W. LORD, COUNCILMAN

DEBORAH L. YOUMANS,
COUNCILWOMAN

ATTEST:


CITY CLERK

THE SEAL OF THE CITY
OF FOREST PARK, GA

Approved as to form:


Jack R. Hancock, City Attorney